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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SHINGLES, KRISTIE D

ART UNIT

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2441

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/597,704	Applicant(s) VOOIS ET AL.	
	Examiner KRISTIE D. SHINGLES	Art Unit 2441	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2441

DETAILED ACTION

Per Applicant's Request for Continued Prosecution

Claims 1, 2, 7, 9, 11, 12, 14-16, 18, 20, 22-24 and 26 have been amended.

Claims 1-27 are pending examination.

Continued Examination Under 37 CFR 1.114

I. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/2/2009 has been entered.

Response to Arguments

II. Applicant's arguments with respect to claims 1, 15 and 20 have been considered but are moot in view of the new ground(s) of rejection.

CLAIM REJECTIONS - 35 USC § 103

III. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2441

IV. Claims 15-19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Edholm* (US 6,449,269) in view of *Swartz* (US 6,445,694).

a. **Per claim 15**, *Edholm* teaches a user-programmable communications arrangement comprising:

- a user-interface device having a display, the device being programmed to provide IP telephony communications configuration information to a user via the display and to communicate IP telephony communications configuration selections from the user to a CPU (*Abstract, col.4 line 65-col.5 line 8, col.5 lines 36-52—IP telephone with user interface display for communicating user-selections*); and
- a programmable CPU communicatively coupled to the user interface device and having an OOP interface coupled to an IP telephony communications link, the CPU being adapted to receive the IP telephony communication selections from the user-interface device (*col.2 lines 33-67, col.3 lines 8-48, col.4 lines 24-61, col.8 lines 39-49—user interface display on IP telephony device coupled to a phone server for receiving call information selections by user*).

Edholm fails to explicitly teach the CPU being programmed to receive the IP telephony user communications configuration selections from the user-interface device and in response to the received selections, programmably configure selected IP telephony device of an IP telephony communications system via the IP telephony communications link. However, *Swartz* teaches an internet-controlled telephony system wherein a subscriber makes communication configuration selections for the IP telephony device over a user-interface to the host services computer (*Abstract, Figure 1, col.2 lines 2-67, col.7 line 44-col.8 line 47, col.11 line 30-col.13 line 4*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of *Edholm* with *Swartz* by providing a user interface that displays the IP telephony options available to the user in order to efficiently allow user-

Art Unit: 2441

friendly configuration input selection from the IP telephone device to be communicated to the host service provider in order to maintain the preferred service for each user's telephony device.

b. **Per claim 16**, *Edholm* with *Swartz* teaches the user-programmable communications arrangement of claim 15, *Swartz* further teaches wherein the CPU is programmed to control the scope of IP telephony communications configuration selections that can be made by a particular user (*col.4 line 43-col.5 line 36, col.7 line 44-col.8 line 47, col.11 line 23-col.12 line 16*).

c. **Per claim 17**, *Edholm* with *Swartz* teaches the user-programmable communications arrangement of claim 15, *Swartz* further teaches wherein the IP telephony system includes a memory storage device having user-access configuration data, wherein the CPU receives the configuration data for controlling the scope of configuration selections that can be made by a particular user (*col.2 lines 32-67, col.3 lines 1-37, col.7 lines 46-61, col.11 lines 1-21*).

d. **Per claim 18**, *Edholm* with *Swartz* teach the user-programmable communications controller of claim 17, *Swartz* further teaches wherein the memory storage device is programmed to send display information to the user-interface device using OOP, the display information including available IP telephony communications selections (*col.7 lines 46-61*).

e. **Per Claim 19**, *Edholm* with *Swartz* teach the user-programmable communications controller of claim 15, *Swartz* further teaches wherein the user-interface device communication the configuration selections using the OOP (*Abstract, col.2 lines 2-67, col.7 line 44-col.8 line 47, col.11 line 30-col.13 line 4*).

Art Unit: 2441

f. **Per claim 26**, *Edholm* with *Swartz* teaches the user-programmable communications arrangement of claim 15, *Edholm* further teaches wherein the CPU is programmed to control selected functions of selected IP telephony devices of an IP telephony communications system by configuring a plurality of IP telephony devices (*col.2 lines 52-57, col.5 lines 20-24; Swartz—col.4 line 43-col.5 line 36, col.7 line 44-col.8 line 47, col.11 line 23-col.12 line 16*).

V. Claims 1-14, 20-25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Shaffer et al* (US 6,125,108) in view of *Truetken* (US 6,493,324).

a. **Per claim 1**, *Shaffer et al* teach for use in a IP telephony system in which a control center is communicatively coupled to a plurality of IP telephony devices, a user-programmable communications arrangement comprising:

- a user interface for at least one of: user control of a IP telephony device, office telephone administration control of a plurality of telephony devices, and system administrator control of telephony system configuration (*col.3 line 57-col.4 line 8, col.8 lines 5-11—inherent interface for entering user data to transmit request on IP telephone using menu of call service features to create service profile for controlling and configuring each IP telephony device via a server*); and
- a programmable controller programmed to, responsive to a user selecting one of the configuration options, to program the control center and a computer processor circuit at each of the plurality of IP telephony devices and to control communications between the control center and the plurality of IP telephony devices (*col.3 line 57-col.4 line 28, col.5 lines 8-17—user service profile for configuring service features for each IP telephony device via a server*).

Shaffer et al teach users transmitting requests on the IP telephones which inherently involves a user interfaces, yet *Shaffer et al* fail to explicitly teach a user interface to display IP telephony configuration options. However, *Truetken* teaches that IP telephones

Art Unit: 2441

equipped with user interfaces that display IP telephony options and settings selectable by the user (*Figures 3-6, col.2 line 64-col.3 lines 37*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of *Shaffer et al* with *Truetken* by providing a user interface that displays the IP telephony options available to the user in order to efficiently allow user-friendly configuration input on the IP telephone device.

b. **Claim 20** contains limitations that are substantially equivalent to claim 1, and is therefore rejected under the same basis.

c. **Per claim 2**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein the programmable controller is programmed to announce an incoming call via the display, the call announce being effected without overtaking currently-running applications, and wherein at least the user interface is a part of a programmed computer (*col.1 lines 50-55, col.3 lines 20-31 and 58-62; Shaffer et al—col.2 lines 2-12, col.3 lines 49-67*).

d. **Claim 25** is substantially similar to claim 2 and is therefore rejected under the same basis.

e. **Per claim 3**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 2, *Truetken* further teaches wherein the call announce is effected using a locally-installed OOP applet that runs in the background of the computer (*col.3 line 51-col.4 line 14*).

f. **Per claim 4**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 2, *Truetken* further teaches wherein the call announce

Art Unit: 2441

displays user control options including at least one of: caller ID, speaker phone, answer, forward to voicemail, hold, and call termination (*col.1 lines 50-55, col.3 lines 20-31 and 58-62; Shaffer et al—col.1 lines 11-18*).

g. **Per claim 5**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein the user interface includes a graphic user interface (GUI) (*col.2 lines 64-67, col.3 lines 20-25*).

h. **Per claim 6**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein the computer includes one of the plurality of IP telephony devices (*col.2 lines 50-67; Shaffer et al—col.2 lines 2-12, col.3 lines 49-67*).

i. **Per claim 7**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 1, *Shaffer et al* further teach wherein the controller is programmed to access personal contact information (*col.2 lines 2-27, col.3 line 57-col.4 line 27; Truetken—col.3 line 52-col.4 line 33*).

j. **Per claim 8**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 7, *Truetken* further teaches wherein the personal contact information is arranged in a searchable database accessible by the controller, the database being accessible via user-defined shuffle search statements (*col.4 lines 2-4, 20-22 and 28-33—personal directory and phone/address book; Shaffer et al —col.4 lines 20-23 and 47-52, col.5 lines 45-52, col.6 lines 31-48*).

k. **Per claim 9**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 1, *Shaffer et al* further teaches wherein the controller is

Art Unit: 2441

programmed to provide a control interface for system administration control of an IP telephony network, the interface being programmed to provide at least one of: IP telephony system configuration and system status information (*col.3 lines 14-20; Truetken—col.3 lines 59-62*).

l. **Per claim 10**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 9, *Shaffer et al* further teaches wherein the IP telephony system status information includes at least one of: IP address assignment information for telephony devices, user-access security control level settings, current telephony device hardware settings, display settings for the controller, and telephony device location information (*col.4 lines 13-52—telephony address information*).

m. **Per claim 11**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 9, *Truetken* further teaches wherein the controller is programmed to control at least one of: telephony device address assignment, user-access permissions, system report generation, display settings for the controller, voice mail parameters, IP telephony device hardware configuration, system backups, call routing protocol, call accounting, email configuration settings and call logging (*col.3 lines 8-37, col.4 lines 2-6, col.5 lines 1-5; Shaffer et al—col.4 lines 13-52*).

n. **Per claim 12**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein the controller is programmed to configure the control center and the plurality of IP telephony devices using OOP for providing the user-selected IP telephony configuration information to the control center (*col.3 lines 20-37; Shaffer et al—col.4 lines 1-12*).

Art Unit: 2441

o. **Per claim 13**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein user control of an IP telephony device includes active call control and call receive settings including at least one of: speaker phone activation, call answer, call forward to voicemail, call forward to another number or IP telephony address, call hold, call termination, display of caller ID, speed dial, call transfer, redial, voicemail forwarding, voicemail messaging, multi-party calling call muting, video control, and remote access control for remote access to telephony services (*col.1 lines 50-55, col.3 lines 15-31 and 58-62; Shaffer et al—col.1 lines 16-19, col.3 lines 57-64*).

p. **Per claim 14**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein each of the plurality of IP telephony devices includes a CPU, and wherein the user interface and controller are further programmed to: provide user-selected email configuration information to a control center communicatively coupled to each CPU; display a control interface for at least one of: user control of email configuration, office administration control of the plurality of CPUs, and system administrator control of email system configuration; and the email configuration information being selected to control communications between, and to programmably configure, the control center and the plurality of CPUs (*col.2 line 50-col.3 line 45*).

q. **Per claim 21**, *Shaffer et al* with *Truetken* teach the user-programmable communications control system of claim 20, *Truetken* further teaches wherein the scope of communications control selections that can be made at the computer station is controlled by the programmable communications server based on a predefined user-access permission level (*col.4 lines 2-12*).

Art Unit: 2441

r. **Claim 27** is substantially similar to claim 21 and is therefore rejected under the same basis.

s. **Per claim 22**, *Shaffer et al* with *Truetken* teach the user-programmable communications control system of claim 20, *Truetken* further teaches the system further comprising a plurality of computer stations, wherein programmable communications server is programmed to receive communications control selections from each of the plurality of computer stations (*col.4 lines 2-40, col.5 lines 1-21; Shaffer et al —col.3 line 57-col.4 line 12*).

t. **Per claim 23**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches the arrangement further including the control center, wherein the programmable controller is programmed to configure the control center by providing configuration information to control interactions between the control center and each of the plurality of IP telephony devices, the plurality of IP telephony devices being remote from the programmable controller (*col.4 lines 2-40, col.5 lines 1-21; Shaffer et al —col.3 line 57-col.4 line 12*).

u. **Per claim 24**, *Shaffer et al* with *Truetken* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches the arrangement further including the control center, wherein the programmable controller is programmed to configure each of the plurality of IP telephony devices via communications with the control center (*col.4 lines 2-40, col.5 lines 1-21; Shaffer et al —col.3 line 57-col.4 line 28*).

Conclusion

VI. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure: Pickett (2002/0001302), Zirngibl et al (6445694), Ramey et al (7111056), Baniak et al (7103165), Platt et al (6757363), Lamb et al (6747970), Sollee et al (6614899).

Examiner's Note: Examiner has cited particular columns and line numbers in the reference(s) applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the Applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the cited passages as taught by the prior art or relied upon by the examiner. Should Applicant amend the claims of the claimed invention, it is respectfully requested that Applicant clearly indicate the portion(s) of Applicant's specification that support the amended claim language for ascertaining the metes and bounds of Applicant's claimed invention.

VII. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie D. Shingles whose telephone number is (571)272-3888. The examiner can normally be reached on Monday 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2441

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie D. Shingles
Examiner
Art Unit 2441

/KDS/
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